

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

UNITED STATES OF AMERICA,)
)
v.) Criminal No. 3:18CR00025
)
COLE EVAN WHITE,)
)
Defendant.)

**Defendant's Motion for Release from Custody Pending
His Sentencing Hearing**

Comes now the defendant, Cole E. White, by and through counsel,
and hereby moves the Court for his release from custody pending his
sentencing hearing. Counsel for Mr. White has consulted with counsel for
the government, who has represented that the government has no objection
to this motion.

Background

Cole E. White is one of four defendants indicted in the Western
District of Virginia on October 10, 2018, on one count of conspiracy to
commit an offense against the United States in violation of 18 U.S.C.
Section 371 (Count One) and one count of traveling in interstate commerce
with the intent to riot (Count Two) in violation of 18 U.S.C. Section 2101
("Federal Anti-Riot Act" or "Anti-Riot Act"). (Dkt. 8).

Defendant White is a resident of California. He was arrested and detained in the California Northern District on these charges on October 2, 2018, and was subsequently transported to and detained in the Western District of Virginia for this prosecution.

Defendant White entered a guilty plea pursuant to a written plea agreement on November 30, 2018. (Dkt. 59). For reasons the parties shall articulate at a hearing on this motion, the release of your defendant from custody pending his sentencing hearing is for good cause. Defendant White will present evidence of a suitable plan that will include his placement in the custody of his father, who resides in California, and that will ensure his good behavior and his appearance at all subsequent court dates. At this point in the proceedings, defendant White, who has no criminal history, does not constitute a flight risk.

WHEREFORE, Defendant White respectfully moves the Court to modify the terms of his pre-trial detention order to allow him to reside with his father pending the final outcome of this case.

Respectfully submitted,

COLE E. WHITE

By Counsel

/s/Michael T. Hemenway

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CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: counsel of record in this case.

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